

ORDINANCE NO. 45-720

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C, AS ADOPTED BY SECTION 28.04.010, AS AMENDED.

BE IT ORDAINED BY THE GOVERNING BODY
OF THE CITY OF WICHITA, KANSAS.

SECTION 1. That having received a recommendation from the Planning Commission, and proper notice having been given and hearing held as provided by law and under authority and subject to the provisions of The Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by Section 28.04.010, as amended, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. ZON2003-00009

Zone change from "TF-3" Two-family Residential to "LC" Limited Commercial, on property described as:

The east 47 feet of Lot 5 and the west 9 feet of Lot 6, Block 10, Eastridge Addition, Wichita, Sedgwick County, Kansas. Generally located north of Orme and west of Governour.

SUBJECT TO FOLLOWING PROVISIONS OF PROTECTIVE OVERLAY DISTRICT #124:

1. Prior to the issuance of a building or paving permit, a drainage study to determine how to prevent drainage from the subject property from entering the property at 6932 E. Orme shall be submitted for review and approval by the Department of Public Works. The improvements determined to be necessary by the drainage study shall be performed as part of the work for which the building or paving permit is requested.
2. Within 60 days of approval by the governing body, a dedication shall be submitted by separate instrument for complete access control to Orme along the entire length south property line. Said access control shall be deferred for the existing drive to the existing residential structure until such time as the existing structure is removed, but shall prohibit access to Orme for any parking area (other than existing driveway) on the subject property.
3. Within 60 days of approval by the governing body, a dedication shall be submitted by separate instrument for a joint cross-lot access easement with the adjoining property to the east.

SECTION 2. That upon the taking effect of this ordinance, the above zoning changes shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Wichita -Sedgwick County Unified Zoning Code as amended.

SECTION 3. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

ADOPTED AT WICHITA, KANSAS, May 13, 2003.

ATTEST:

Pat Graves, City Clerk

Carlos Mayans, Mayor

(SEAL)

Approved as to form:

Gary E. Rebenstorf, City Attorney